IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.1755 OF 2007
DATE OF DECISION: 05-02-2007

Ram Niwas son of Shri Ram Swarup, Resident of House No.2139, Sector 13, HUDA, Bhiwani (Haryana)

.....PETITIONER

VERSUS

1.The State of Haryana, through its Secretary, Department of Development and Panchayats, Haryana Civil Secretariat, Chandigarh.

2.The Secretary, Haryana Staff Selection Commission, Bays No.67-70, Sector-2, Panchkula, Haryana.

.....RESPONDENTS

CORAM:- HON'BLE MR.JUSTICE ASHUTOSH MOHUNTA
HON'BLE MR.JUSTICE R S MADAN

PRESENT: Mr.Surya Parkash, Advocate
for the petitioner.

R S MADAN, J.

Respondent No.2 advertised four posts of Legal Officer in the Department of Development and Panchayat, Haryana vide Annexure P6. Out of these four posts, two posts are meant for general category, one for ESM (general category) and one post for Backward Class category. According to the advertisement the essential qualifications for this post are as under:

> *"Law Graduate (LL.B) with knowledge of Hindi upto Matric standard.*
> *Five years experience as Advocate or some experience on administrative job (total 5 years experience) OR five years experience on some administrative post."*

The petitioner, who belongs to the backward Class being of Chhipi caste is working as Veterinary and Livestock Development Assistant in the Department of Animal Husbandry and Dairying at Bhiwani and is the incharge and carrying out administrative functions of Piggery Extension Centre, Ranila (Bhiwani),Civil Veterinary Dispensary, Nakipur, Bhiwani, SMC, Sanga, Bhiwani and Poultry Extension Centre at Government Hatchery-cum-Poultry Farm, Bhiwani in his capacity as supervisor.

The petitioner applied for the aforesaid post through proper channel but his application was rejected mentioning therein that his experience certificate is invalid.

The Haryana Staff Selection Commission could not develop the reasons for rejection.

Since the post of the Legal Officer is meant for a candidate having five years experience as an Advocate or some experience of administrative job or five years experience of some administrative post, which he did not qualify because the Legal Officer has to deal with the legal problems of the Department of Development and Panchayats. Without having any experience on legal side as required as per the advertisement, his case has been rightly rejected by the respondents.

Hence, the petitioner is not entitled to any relief as prayed for in the present writ petition and the same is hereby dismissed.

(R S MADAN)
JUDGE

(ASHUTOSH MOHUNTA)
JUDGE

February 05, 2007
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